

MEMO ENDORSED

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September 18, 2007

Adjourned to 10/26/07 at 9:00 AM.

BY HAND

The Honorable Richard M. Berman
United States District Court
Southern District of New York
40 Center Street
Courtroom 706
New York, NY 10007

Re: Elissa Becker v Eber Bros. Wine and Liquor Corp and Eber NYC LLC
07 CV 4022 (RMB)

SO ORDERED:

Date: 9/19/07

Richard M. Berman
Richard M. Berman, U.S.D.J.

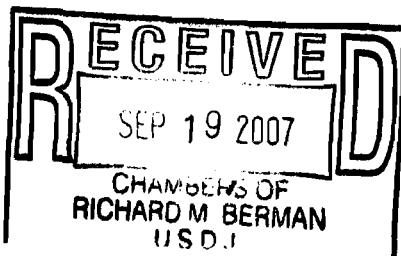
Dear Judge Berman:

This office represents the Plaintiff in the above-captioned action.

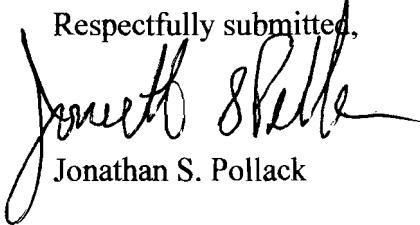
Your Honor had originally scheduled a post-discovery conference for all counsel and parties to attend on October 15, 2007.

After opposing counsel and I specifically spoke and agreed that a settlement conference before Your Honor, or Magistrate Peck, might encourage a resolution of this matter, and save our respective clients the expenditure of time and money related to further discovery, I so advised Your Honor by letter dated September 6, 2007 (additional copy enclosed). Specifically, we requested a settlement conference at the Court's and parties' earliest convenience, and I also requested an adjournment of the previously scheduled October 15, 2007 conference (as my client will be unable to attend).

Unfortunately, over the last ten days, opposing counsel has not provided me any dates for which their client is available for the requested settlement conference. Nonetheless, I respectfully reiterate my request that, due to my client's previously scheduled absence from the country, Your Honor adjourn the October 15, 2007 conference to the earliest possible date on or after October 22, 2007.



The Honorable Richard M. Berman
September 18, 2007
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Respectfully submitted,

Jonathan S. Pollack

cc: Melanie Sarkis, Esq. (Attorney for Defendants/Via-Fax)
Ms. Elissa Becker
Steven E. Kurtz, Esq.